



Savanna Strott <sstrott@publichealthwatch.org>

Fwd: Interview request — Mr. Daniel Hoyt

Sullivan, Melissa <sullivan.melissa@epa.gov>
To: Savanna Strott <sstrott@publichealthwatch.org>
Cc: EPA Press Office <Press@epa.gov>

Mon, Jan 30, 2023 at 7:39 AM

Good morning Savanna,

Please see our response below:

ITC Clean Air Act Investigation Summary

Region 6 and NEIC have conducted several CAA inspection activities at ITC since 2010, which are summarized below.

1. 2012 Region 6 CAA Inspection

- Elevated benzene concentrations in 2012 at TCEQ-operated ambient monitors in the vicinity led Region 6 to investigate both ITC and Vopak in 2012-2013
- Issued information requests and conducted onsite FLIR camera inspections at both facilities
- Inspection report at ITC noted several areas of concern but subsequent compliance discussions with the company and review of the evidence led Region 6 to decide against formal enforcement against ITC.
- Violations at Vopak were pursued and EPA (with Texas as Co-Plaintiff) entered into a Consent Decree with Vopak on May 17, 2017.

2. 2013-2016 NEIC Monitoring in and around ITC

- NEIC conducted mobile monitoring with their Geospatial Measurement of Air Pollutants (GMAP) in the Houston Ship Channel several times beginning in 2013.
- 2013: NEIC conducted GMAP monitoring near ITC and Vopak
- 2016: NEIC conducted an advanced technology demonstration at ITC with infrared cameras, their GMAP, S-Pods, and air canisters. EPA Region 6 sent two inspectors-in -training to the site to observe NEIC and learn their inspection approach. (EPA Region 6 regularly sends new CAA inspectors to observe NEIC's inspections.)
- The areas of concern listed by NEIC related to flaring inefficiency (addressed with the company in a 2016-2017 flaring investigation described below), emissions from a single wastewater tank, and elevated readings that NEIC concluded "appear to be coming from neighboring facilities."
- EPA Region 6 reviewed the information collected by NEIC and did not pursue enforcement of the limited areas of concern during NEIC's 2016 investigation.

3. 2016 Region 6 Flaring Investigation:

- Issued information request to ITC for flaring data to evaluate combustion efficiency.
- After compliance review and discussions with company, investigation closed without formal enforcement

Thank you,

Melissa

Melissa A. Sullivan (She/Her/Hers)

Office of Public Affairs

U.S. Environmental Protection Agency

202 913 3840

Sullivan.Melissa@epa.gov

From: Savanna Strott <ssstrott@publichealthwatch.org>

Sent: Thursday, January 19, 2023 2:03 PM

To: Sullivan, Melissa <sullivan.melissa@epa.gov>

Subject: Re: Interview request — Mr. Daniel Hoyt

Hi Melissa,

I hope you're enjoying your day. I just wanted to check on these written questions. Do you have a new date I should expect them by?

Thank you for all your help with this.

Savanna

On Thu, Jan 12, 2023 at 3:09 PM Sullivan, Melissa <sullivan.melissa@epa.gov> wrote:

Thank you, David. I hope all is well on your end.

Savanna, I will be in touch as soon as we have something for you.

Melissa A. Sullivan (She/Her/Hers)

Office of Public Affairs

U.S. Environmental Protection Agency

202 913 3840

Sullivan.Melissa@epa.gov

From: David Leffler <dleffler@publichealthwatch.org>

Sent: Tuesday, January 10, 2023 9:04 PM

To: Sullivan, Melissa <sullivan.melissa@epa.gov>

Cc: Savanna Strott <ssrott@publichealthwatch.org>
Subject: Re: Interview request — Mr. Daniel Hoyt

Hi Melissa,

I hope this message finds you well. I'm just reaching out to let you know that, due to some person issues I need to attend to, Savanna Strott will be your main contact on this moving forward. Savanna's up to speed on everything we need and can answer any questions you may have. Thanks again for all your help with this.

Best,

David

On Mon, Jan 9, 2023 at 11:00 AM Sullivan, Melissa <sullivan.melissa@epa.gov> wrote:

Thank you for your flexibility and speedy reply, David. I will be in touch as soon as I am able.

Melissa A. Sullivan (She/Her/Hers)

Office of Public Affairs

U.S. Environmental Protection Agency

202 913 3840

Sullivan.Melissa@epa.gov

From: David Leffler <dleffler@publichealthwatch.org>

Sent: Monday, January 9, 2023 11:54 AM

To: Sullivan, Melissa <sullivan.melissa@epa.gov>

Subject: Re: Interview request — Mr. Daniel Hoyt

Hi Melissa,

Thanks for the update. Absolutely, that works on my end. Feel free to reach out if you have any questions in the meantime.

Best,

David

On Mon, Jan 9, 2023 at 10:48 AM Sullivan, Melissa <sullivan.melissa@epa.gov> wrote:

Good morning David,

We continue to work on these for you.

Do you think you could extend to Wednesday COB? We should have something for you by then.

Thank you,

Melissa

Melissa A. Sullivan (She/Her/Hers)

Office of Public Affairs

U.S. Environmental Protection Agency

202 913 3840

Sullivan.Melissa@epa.gov

From: David Leffler <dleffler@publichealthwatch.org>

Sent: Wednesday, December 21, 2022 4:21 PM

To: Sullivan, Melissa <sullivan.melissa@epa.gov>

Subject: Re: Interview request — Mr. Daniel Hoyt

Thanks, Melissa. I really appreciate it.

Responses by the 9th sounds great. Feel free to reach out if you have any questions before then.

Have a safe and happy holidays with your family.

David

On Wed, Dec 21, 2022 at 12:53 PM Sullivan, Melissa <sullivan.melissa@epa.gov> wrote:

Thank you, David. I hope all is well with your family.

Let's aim for responses by the 9th, if that works for you.

Have a wonderful holiday season,

Melissa

Melissa A. Sullivan (She/Her/Hers)

Office of Public Affairs

U.S. Environmental Protection Agency

202 913 3840

Sullivan.Melissa@epa.gov

From: David Leffler <dleffler@publichealthwatch.org>
Sent: Wednesday, December 21, 2022 3:38 PM
To: Sullivan, Melissa <sullivan.melissa@epa.gov>
Subject: Re: Interview request — Mr. Daniel Hoyt

Hi Melissa,

Thanks again for all your help and patience with this. As promised, I've attached my questions for both Dan Hoyt and Matt Schneider below. I put them in Word docs, but let me know if there's a better way to provide them.

Just a quick note about them: As you'll see, these questions are likely a bit more detailed than initially anticipated. The reason for this is that, upon further review with my editorial team, we wanted to be as specific as possible with our inquiries, given the fact that it tends to be much more difficult to have a discussion or back-and-forth via written questions. That's why we thought it would be easier for everyone to talk over the phone/Zoom.

I realize I'm getting these questions over later than anticipated, so let me know if y'all need a little more time with them than we'd originally discussed. Also, feel free to let me know if there are any points that need clarification.

Thanks again, Melissa. Please let me know if you need anything else from me at the moment.

Happy Holidays,

David

On Wed, Dec 21, 2022 at 2:07 PM David Leffler <dleffler@publichealthwatch.org> wrote:

Hi Melissa,

Thanks for checking in. My apologies for the delay — been dealing with a family emergency. I'll have the questions over to you by EOD.

More soon,
David

On Wed, Dec 21, 2022 at 7:48 AM Sullivan, Melissa <sullivan.melissa@epa.gov> wrote:

Good morning David,

I hope you are well.

Checking-in about your questions. Are you able to share them soon?

Thank you,

Melissa

Melissa A. Sullivan (She/Her/Hers)
Office of Public Affairs
U.S. Environmental Protection Agency
202 913 3840
Sullivan.Melissa@epa.gov

On Dec 12, 2022, at 8:25 AM, Sullivan, Melissa <sullivan.melissa@epa.gov> wrote:

Good morning David,

Yes, the 5th works for us.

I look forward to receiving your questions.

Thank you,

Melissa

Melissa A. Sullivan (She/Her/Hers)
Office of Public Affairs
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202 913 3840
Sullivan.Melissa@epa.gov

On Dec 9, 2022, at 3:42 PM, David Leffler <dleffler@publichealthwatch.org> wrote:

Hi Melissa,

I hope you're having a great Friday. I should have these questions by next Tuesday at the latest. Will a 1/5/23 deadline for responses work on your end? Just let me know. Thanks again for all your help and consideration.

Best,

David

On Wed, Dec 7, 2022 at 8:38 AM David Leffler <dleffler@publichealthwatch.org> wrote:

Hi Melissa,

Thanks for this update and confirmation. I really appreciate it.

All of that makes sense. I'm happy to work with your team on this with written questions/responses. I'll work with my team to get a full list of inquiries over to you within the next week (at the latest), which will include additional questions for Mr. Hoyt. While representative of the larger conversation we'd hoped to have, the original set of questions I provided for him was not comprehensive.

My updated deadline for these responses will be 1/5/23. Please let me know if you have any questions or concerns for me/about meeting that deadline.

Best,

David

On Mon, Dec 5, 2022 at 10:19 AM Sullivan, Melissa <sullivan.melissa@epa.gov> wrote:

Good morning David,

I hope you are well also.

We are happy to respond in writing. What is your updated deadline?

I have your original set of questions for Dan Hoyt.

Can you please share your questions for Matthew Schneider?

Thank you,

Melissa

Melissa A. Sullivan (She/Her/Hers)

Office of Public Affairs

U.S. Environmental Protection Agency

202 913 3840

Sullivan.Melissa@epa.gov

From: David Leffler <dleffler@publichealthwatch.org>
Sent: Monday, December 5, 2022 11:13 AM
To: Sullivan, Melissa <sullivan.melissa@epa.gov>
Subject: Re: Interview request — Mr. Daniel Hoyt

Hi Melissa,

I hope this message finds you well and you had a great weekend. I'm following up to check on the status of this request. Please review my previous email and let me know if you have any questions whatsoever. I really appreciate your continued help with this.

Best,

David

On Tue, Nov 29, 2022 at 1:24 PM David Leffler
<dleffler@publichealthwatch.org> wrote:

Hi Melissa,

Thanks for your response on this.

Just to clarify, are Mr. Hoyt and Schneider unavailable throughout the next month due to scheduling? We can talk in early January, too, if need be — and I can adjust to any date/time preferences they have.

Or are you saying they're now no longer available to speak over the phone due to the medium (i.e., written questions/responses are the only allowable correspondence)? Just checking to make sure I understand correctly and can explain to my editor — she's always asking me for clarification!

Thanks again for all your help.

Best,

David

On Tue, Nov 29, 2022 at 1:13 PM Sullivan, Melissa
<sullivan.melissa@epa.gov> wrote:

Good afternoon David,

We will respond in writing.

Please share any additional questions you have.

We will respond as quickly as we are able.

Thank you for your patience and understanding.

Melissa A. Sullivan (She/Her/Hers)
Office of Public Affairs
U.S. Environmental Protection Agency
202 913 3840
Sullivan.Melissa@epa.gov

On Nov 29, 2022, at 11:58 AM, David Leffler
<dleffler@publichealthwatch.org> wrote:

Hi Melissa,

Thanks for following up with this information. While I absolutely understand the difficulty of navigating schedules this time of year, I'd appreciate it if we can make phone interviews happen with both Mr. Hoyt and Mr. Schneider here. Written questions and responses tend to be less helpful, especially with interviews like these, where there are technical questions that will likely require clarification and follow-up inquiries.

My schedule is open through Christmas. Do Mr. Hoyt and Mr. Schneider have any availability over the next three weeks? I'll take any time with them that I can get.

Thanks again for all your time and assistance. I really appreciate it.

Best,

David

On Mon, Nov 28, 2022 at 2:38 PM Sullivan, Melissa
<sullivan.melissa@epa.gov> wrote:

Good afternoon David,

I hope you had a great holiday.

Due to availability challenges, we will respond in writing.

I have your original set of questions for Dan Hoyt below.

Do you have additional questions for Matthew Schneider? If so, please send them forward.

- What first drew your attention to ITC/lead to the facility's inspection in 2012? Essentially, what compelled Region 6 to visit the facility that fall?
- Had you been out to ITC before? Or was it your first time there?
- The inspection report is very detailed, but I'm hoping to better understand what your experience on the ground was like. What was your process like during the inspection? What kind of tools did you use (FLIR cameras, etc.)? I'm hoping to, from a narrative perspective, understand what it's like to be a part of one of those inspections.
- The inspection notes potentially high emissions from a number of tanks. Can you contextualize these findings in any way for me? I'm just hoping to better understand the scale/severity of these emissions (since there are so many factors that go into measuring them), what you + your team were seeing, etc.
- Your team also saw high emission levels at Vopak, correct? How did those compare with those found at ITC, in terms of scale, scope, and frequency?
- Who was your team's main contact at ITC at the time?
- Looking back, what stood out to you most about the facility and inspection? Any takeaways that stick out in your mind?

Thank you,

Melissa

Melissa A. Sullivan (She/Her/Hers)

Office of Public Affairs

U.S. Environmental Protection Agency

202 913 3840

Sullivan.Melissa@epa.gov

From: David Leffler <dleffler@publichealthwatch.org>

Sent: Tuesday, November 22, 2022 10:41 AM

To: Sullivan, Melissa <sullivan.melissa@epa.gov>

Subject: Re: Interview request — Mr. Daniel Hoyt

Hi Melissa,

Absolutely, that makes sense. I understand and appreciate your ongoing help with this. I'll be sure to check back in next week as people get settled back in from the holiday.

Have a wonderful Thanksgiving.

Best,
David

On Tue, Nov 22, 2022 at 9:33 AM Sullivan, Melissa <sullivan.melissa@epa.gov> wrote:

Good morning David,

I am checking.

Most are out of the office this week.

I will likely not know about availability until next week when folks are back.

Thank you,

Melissa

Melissa A. Sullivan (She/Her/Hers)

Office of Public Affairs

U.S. Environmental Protection Agency

202 913 3840

Sullivan.Melissa@epa.gov

From: David Leffler

[<dleffler@publichealthwatch.org>](mailto:dleffler@publichealthwatch.org)

Sent: Tuesday, November 22, 2022 10:27 AM

To: Sullivan, Melissa

[<sullivan.melissa@epa.gov>](mailto:sullivan.melissa@epa.gov)

Subject: Re: Interview request — Mr. Daniel Hoyt

Hi Melissa,

Thanks for sending this over. Unfortunately, I've had a few last-second things stack up on my end. Does Mr. Hoyt have any availability next week? And does Mr. Schneider? My apologies for the sudden shift here. Looking forward to making this happen very soon.

Best,

David

On Tue, Nov 22, 2022 at 8:24 AM Sullivan, Melissa [<sullivan.melissa@epa.gov>](mailto:sullivan.melissa@epa.gov) wrote:

Good morning David,

Dan Hoyt is available today at 2:00 PM.

Does that work for you?

Unfortunately, Matthew is out of the office.

Thank you,

Melissa

Melissa A. Sullivan (She/Her/Hers)

Office of Public Affairs

U.S. Environmental Protection Agency

202 913 3840

Sullivan.Melissa@epa.gov

From: David Leffler
<dleffler@publichealthwatch.org>
Sent: Monday, November 21, 2022 11:07 AM
To: Sullivan, Melissa
<sullivan.melissa@epa.gov>
Subject: Re: Interview request — Mr. Daniel Hoyt

Hi Melissa,

Thanks for following up. Wednesday is a little tricky, but I should be pretty open all of tomorrow. Let me know when works best and I'll make sure I'm available.

Best,

David

On Mon, Nov 21, 2022 at 9:49 AM Sullivan, Melissa <sullivan.melissa@epa.gov> wrote:

Good morning David,

Can you please share your availability for an interview Tuesday (tomorrow) and Wednesday?

Thank you,

Melissa

Melissa A. Sullivan (She/Her/Hers)

Office of Public Affairs

U.S. Environmental Protection Agency

202 913 3840

Sullivan.Melissa@epa.gov

From: David Leffler
<dleffler@publichealthwatch.org>

Sent: Friday, November 18, 2022 1:48 PM
To: Sullivan, Melissa
<sullivan.melissa@epa.gov>
Cc: Powell, Shayla
<Powell.Shayla@epa.gov>
Subject: Re: Interview request — Mr.
Daniel Hoyt

Hi Melissa,

It's good to hear from you. Yes, that would be great. Definitely works for me.

Feel free to let me know what next steps are/which dates and times work best on your end. I'm happy to adjust to any scheduling preferences your team/Mr. Hoyt/Mr. Schneider may have.

Best,
David

On Fri, Nov 18, 2022 at 8:07 AM Sullivan, Melissa <sullivan.melissa@epa.gov> wrote:

Good morning David,

We can provide an interview with Dan and Matthew on background.

Does that work for you?

Thank you,
Melissa

Melissa A. Sullivan (She/Her/Hers)
Office of Public Affairs
U.S. Environmental Protection Agency
202 913 3840

Sullivan.Melissa@epa.gov

From: David Leffler
<dleffler@publichealthwatch.org>
Sent: Monday, November 14, 2022
12:02 PM
To: Powell, Shayla
<Powell.Shayla@epa.gov>
Cc: Sullivan, Melissa
<sullivan.melissa@epa.gov>; EPA
Press Office <Press@epa.gov>
Subject: Re: Interview request — Mr.
Daniel Hoyt

Hi Shayla,

Perfect — thank you. Don't hesitate to reach out if any questions arise on your end.

One quick (and random) question: Who is the best press contact for NEIC inquiries? I'm having trouble tracking that information down.

Best,
David

On Mon, Nov 14, 2022 at 10:07 AM
Powell, Shayla
<Powell.Shayla@epa.gov> wrote:

Hi David —

Confirming receipt. Thanks!

Respectfully,

Shayla R. Powell

Office of Public Affairs/Office of the
Administrator

(Office) 202-564-1976

(Mobile) 202-573-5349

From: David Leffler
<dleffler@publichealthwatch.org>
Sent: Monday, November 14, 2022
10:39 AM
To: Powell, Shayla
<Powell.Shayla@epa.gov>
Cc: Sullivan, Melissa
<sullivan.melissa@epa.gov>; EPA
Press Office <Press@epa.gov>
Subject: Re: Interview request —
Mr. Daniel Hoyt

Hi Shayla,

Thanks for the speedy response. I
hope your morning is going great.
Absolutely — more information
below:

Story deadline: 11/29

Sample questions:

- What first drew your attention to ITC/lead to the facility's inspection in 2012?
Essentially, what compelled Region 6 to visit the facility that fall?
- Had you been out to ITC before? Or was it your first time there?
- The inspection report is very detailed, but I'm hoping to better understand what your experience on the ground was like. What was your process like during the inspection? What kind of tools did you use (FLIR cameras, etc.)? I'm hoping to, from a narrative perspective, understand what it's like to be a part of one of those inspections.
- The inspection notes potentially high emissions from a number of tanks. Can you contextualize these

findings in any way for me?
I'm just hoping to better understand the scale/severity of these emissions (since there are so many factors that go into measuring them), what you + your team were seeing, etc.

- Your team also saw high emission levels at Vopak, correct? How did those compare with those found at ITC, in terms of scale, scope, and frequency?
- Who was your team's main contact at ITC at the time?
- Looking back, what stood out to you most about the facility and inspection? Any takeaways that stick out in your mind?

Please let me know if you need any clarification on these, Shayla, or if there are specific inquiries you have concerns about. I'm happy to flesh them out or simplify them.

Thanks again,

David

On Mon, Nov 14, 2022 at 9:23 AM
Powell, Shayla
<Powell.Shayla@epa.gov> wrote:

Good morning, David,

Thank you for your email. Can you please send a list of questions you'd like to ask and your deadline, please?

Respectfully,

Shayla R. Powell

Office of Public Affairs/Office of the
Administrator

(Office) 202-564-1976

(Mobile) 202-573-5349

From: David Leffler
<dleffler@publichealthwatch.org>
Sent: Monday, November 14,
2022 10:22 AM
To: Sullivan, Melissa
<sullivan.melissa@epa.gov>
Cc: EPA Press Office
<Press@epa.gov>
Subject: Interview request — Mr.
Daniel Hoyt

Good morning,

My name is David Leffler and I'm a reporter with [Public Health Watch](https://publichealthwatch.org), a nonprofit, nonpartisan news organization focused on threats to America's well-being.

I'm currently working on a story looking back at the 2019 fire at the Intercontinental Terminal Company's (ITC) facility in Deer Park, Texas. Specifically, I'm hoping to better understand the facility's culture and history, including past violations and similar aspects of EPA and TCEQ oversight.

During my research, I came across Mr. Daniel Hoyt's inspection of the facility in the fall of 2012. (Mr. Hoyt is currently an environmental engineer at EPA headquarters in the Office of Enforcement and Compliance Assurance.) His inspection itself has been very helpful for the story, but I have a few follow-up questions that I'd like to, if at all possible, run by Mr. Hoyt. Just hoping to learn more about his experience during the inspection and what stood out to him most at the time.

Thanks in advance for your time and consideration here. Feel free to let me know if you have any questions or concerns that I can help address, or if you'd like more information about this project.

Best regards,

David Leffler
512-947-6436

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David Leffler

Reporter



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David Leffler

Reporter



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David Leffler

Reporter



Public Health Watch

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David Leffler

Reporter



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